

not agree, which report shall be filed in the same manner as the report hereinbefore provided for. On receipt of any such report, showing any disagreement of the jury, said board of aldermen shall, at its next meeting after the filing of such report, direct the mayor of said city to issue, and he shall thereupon issue under the seal of said city his order to a marshal of said city to at once summon a new jury, qualified for such duty as hereinbefore specified, and of the same number as hereinbefore directed, to be composed of different persons from those who constituted the jury so disagreeing, and such new jury shall proceed immediately after being duly sworn, as aforesaid, to take into consideration all parts of the report of the former jury on which that jury was not able to agree, and to view the premises in regard to which such disagreements were had, in the manner hereinbefore directed, and shall make their report in the same manner as hereinbefore provided. Such course shall be continued from time to time until all the matters in such original writ directed to be decided shall have been determined. At the first meeting of said board of aldermen after a complete report or reports upon the matters in said writ ordered to be directed shall have been filed as aforesaid, said board of aldermen shall consider and pass upon such report or reports. If said board of aldermen shall determine that any item of damages so assessed is excessive, it may reject such report or reports and discontinue the proposed improvement, and in case of such discontinuance no other proceeding shall within twelve months thereafter be commenced for a similar purpose in relation to any of the premises affected thereby or any part of the same without the written consent of the owner thereof. It shall be competent for said board of aldermen, in passing upon any such report or reports, to decrease or remit any item or items of special benefit, advantage or enhanced value therein contained, if it think proper so to do. If said board of aldermen shall think proper it shall order such report or reports, or such report or reports so modified by it as to special benefits or advantages or enhanced value, approved and the lands condemned in said proceedings shall vest in said city, so long as they may be used respectively for the purpose of said improvement, so soon as the amount of damages assessed to them respectively, decreased by the amount of special benefit, advantage and enhanced value so assessed against them respectively, shall have been paid as tendered to the owner or owners of such premises respectively, or deposited as hereinafter provided. In case of an appeal on any item, as hereinafter provided, such damages on the premises as to which such appeal is taken, decreased by the amount of special bene-

Report to be filed.
Report of disagreeing jurors received, aldermen have new jury summoned.

New jury, how composed.

Report of old jury to be considered by new jury and premises to be viewed.

Report of new jury, how to be made.

Board of aldermen to pass upon report.

Report may be rejected.

No new proceeding in twelve months, without written consent of owner of premises.

Aldermen may reject part of report.

Lands condemned to vest in city for the purposes for which they were condemned, when damages paid.

If appeal be taken on any item, special benefits and damages.